

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB75)

Received: **06/08/2009**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Onsager**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - sentencing**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Onsager -

Topic:

Crime victim compensation

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	chanaman 06/09/2009	wjackson 06/09/2009	jfrantze 06/09/2009	_____	lparisi 06/09/2009	lparisi 06/09/2009	
	chanaman 06/10/2009	csicilia 06/10/2009		_____			
/2			mduchek 06/10/2009	_____	cduerst 06/10/2009		

FE Sent For:

<END>

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Requester's email: **Paul.onsager@legis.wisconsin.gov**

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No specific pre topic given

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2 g's 6/10
09

MD
<END> MD

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/1	chanaman	/1 WLj6/9		6/9			

FE Sent For:

<END>



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBb0832/1

CMH:.....

WLG

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 75

At the locations indicated, amend the substitute amendment as follows:

1. Page 354, line 2: after that line insert:

SECTION 537c. 20.455 (5) (g) of the statutes, as affected by 2009 Wisconsin Act
.... (this act), is amended to read:

20.455 (5) (g) Crime victim and witness assistance surcharge, general services.

The amounts in the schedule for purposes of ch. 950. All moneys received from any
crime victim and witness assistance surcharge authorized under s. 973.045 (1) that
are allocated as part A of the surcharge under s. 973.045 (1r) (a) 1., ~~26 percent of all~~
~~moneys received from any crime victim and witness assistance surcharge authorized~~
~~under s. 973.045 (1) that are allocated as part B of the surcharge under s. 973.045~~
~~(1r) (a) 2.~~ all moneys received from any crime victim and witness assistance
surcharge authorized under s. 973.045 (1m), and all moneys received from any

delinquency victim and witness assistance surcharge authorized under s. 938.34 (8d)
(a) shall be credited to this appropriation account. The department of justice shall
transfer from this appropriation account to the appropriation account under par. (kj)
the amounts in the schedule under par. (kj).".

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1; 2007 a. 20 ss. 482 to 500, 9121 (6) (a); 2007 a. 200; s. 13.92 (2) (i).

2. Page 354, line 8: after that line insert:

"SECTION 538c. 20.455 (5) (gc) of the statutes, as affected by 2009 Wisconsin
Act (this act), is amended to read:
20.455 (5) (gc) *Crime victim and witness surcharge, sexual assault victim
services. Seventy-four percent of all* All moneys received from any crime victim and
witness assistance surcharge authorized under s. 973.045 (1) that are allocated as
part B of the surcharge under s. 973.045 (1r) (a) 2., to provide grants for sexual
assault victim services under s. 165.93.".

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1; 2007 a. 20 ss. 482 to 500, 9121 (6) (a); 2007 a. 200; s. 13.92 (2) (i).

3. Page 1712, line 19: after that line insert:

"SECTION 3391c. 973.045 (2m) of the statutes, as affected by 2009 Wisconsin
Act (this act), is amended to read:
973.045 (2m) The secretary of administration shall credit part A and 26
~~percent of part B~~ of the crime victim and witness surcharge to the appropriation
account under s. 20.455 (5) (g) and 74 percent of part B to the appropriation account
under s. 20.455 (5) (gc).".

History: 1983 a. 27; 1987 a. 27; 1989 a. 31; 1993 a. 16; 1995 a. 201; 2003 a. 33; 2005 a. 25; 2007 a. 20.

4. Page 1893, line 2: after that line insert:

1 “(1) CRIME VICTIM AND WITNESS SURCHARGE. The treatment of sections 20.455 (5)
2 (g) (by SECTION 537c) and (gc) (by SECTION 538c) and 973.045 (2m) (by SECTION 3391c)
3 of the statutes takes effect on July 1, 2011.”.

4 (END)



State of Wisconsin
2009 – 2010 LEGISLATURE

2
LRBb0832/1
CMH:wlj/f

& cjs

LFB:.....Onsager – Crime victim compensation

FOR 2009-11 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 75

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 354, line 2: after that line insert:

3 “**SECTION 537c.** 20.455 (5) (g) of the statutes, as affected by 2009 Wisconsin Act

4 (this act), is amended to read:

5 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

6 The amounts in the schedule for purposes of ch. 950. All moneys received from any

7 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that

8 ~~are allocated as part A of the surcharge~~ ^{↓ ↓ ↓ ↓} to this appropriation account ~~(under s. 973.045 (1r) (a) 1., 26 percent of all~~

9 ~~moneys received from any crime victim and witness assistance surcharge authorized~~

10 ~~under s. 973.045 (1) that are allocated as part B of the surcharge under s. 973.045~~

(2m) (b)

1 (1r) (a) 2. all moneys received from any crime victim and witness assistance
 2 surcharge authorized under s. 973.045 (1m), and all moneys received from any
 3 delinquency victim and witness assistance surcharge authorized under s. 938.34 (8d)
 4 (a) shall be credited to this appropriation account. The department of justice shall
 5 transfer from this appropriation account to the appropriation account under par. (kj)
 6 the amounts in the schedule under par. (kj)."

7 **2.** Page 354, line 8: after that line insert:

8 "SECTION 538c. 20.455 (5) (gc) of the statutes, as affected by 2009 Wisconsin
 9 Act (this act), is amended to read:

10 20.455 (5) (gc) *Crime victim and witness surcharge, sexual assault victim*
 11 *services. Seventy-four percent of all All* moneys received from any crime victim and
 12 witness assistance surcharge authorized under s. 973.045 (1) that are allocated ~~as~~
 13 ~~part B of the surcharge~~ ^{to this appropriation account} under s. 973.045 (1r) (a) 2. to provide grants for sexual
 14 assault victim services under s. 165.93." (2m) (a) ✓

15 **3.** Page 1712, line 19: after that line insert:

16 "SECTION 3391c. 973.045 (2m) of the statutes, as affected by 2009 Wisconsin
 17 Act (this act), is ~~amended~~ ^{repealed and recreated} to read: 9

18 973.045 (2m) The secretary of administration shall credit part A and 26
 19 percent of part B of the crime victim and witness surcharge to the appropriation
 20 account under s. 20.455 (5) (g) and 74 percent of part B to the appropriation account
 21 under s. 20.455 (5) (gc)."

22 **4.** Page 1893, line 2: after that line insert:

LPS
please
fix
comment

INS
2-21

of the statutes

1

“(1j) CRIME VICTIM AND WITNESS SURCHARGE. The treatment of sections 20.455 (5)

2

(g) (by SECTION 537c) and (gc) (by SECTION 538c) and 973.045 (2m) (by SECTION 3391e)

3

of the statutes take effect on July 1, 2011.”.

4

(END)

*the repeal and recreation
of section*

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0832/2ins
CMH:.....

WS 2-21 the first \$20

- 1 (a) The secretary of administration shall credit to the appropriation account
2 under s. 20.455 (5) (gc) any part of part B of the crime victim and witness surcharge
3 ~~that does not exceed \$20 per offense.~~
4 (b) The secretary of administration shall credit to the appropriation account
5 under s. 20.455 (5) (g) part A of the crime victim and witness surcharge and any part
6 of part B of the crime victim and witness surcharge that remains after the secretary
7 of administration complies with par. (a).



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBb0832/2
CMH:wlj&cjs:md

LFB:.....Onsager - Crime victim compensation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 75

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 354, line 2: after that line insert:

3 **"SECTION 537c.** 20.455 (5) (g) of the statutes, as affected by 2009 Wisconsin Act
4 (this act), is amended to read:

5 20.455 **(5)** (g) *Crime victim and witness assistance surcharge, general services.*

6 The amounts in the schedule for purposes of ch. 950. All moneys received from any
7 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that
8 are allocated as ~~part A of the surcharge to this appropriation account~~ under s.
9 973.045 ~~(1r) (a) 1., 26 percent of all moneys received from any crime victim and~~
10 ~~witness assistance surcharge authorized under s. 973.045 (1) that are allocated as~~

1 ~~part B of the surcharge under s. 973.045 (1r) (a) 2. (2m) (b)~~, all moneys received from
2 any crime victim and witness assistance surcharge authorized under s. 973.045 (1m),
3 and all moneys received from any delinquency victim and witness assistance
4 surcharge authorized under s. 938.34 (8d) (a) shall be credited to this appropriation
5 account. The department of justice shall transfer from this appropriation account to
6 the appropriation account under par. (kj) the amounts in the schedule under par.
7 (kj).”.

8 **2.** Page 354, line 8: after that line insert:

9 “**SECTION 538c.** 20.455 (5) (gc) of the statutes, as affected by 2009 Wisconsin
10 Act (this act), is amended to read:

11 20.455 (5) (gc) *Crime victim and witness surcharge, sexual assault victim*
12 *services. Seventy-four percent of all All* moneys received from any crime victim and
13 witness assistance surcharge authorized under s. 973.045 (1) that are allocated as
14 ~~part B of the surcharge to this appropriation account~~ under s. 973.045 (1r) (a) 2. (2m)
15 (a), to provide grants for sexual assault victim services under s. 165.93.”.

16 **3.** Page 1712, line 19: after that line insert:

17 “**SECTION 3391c.** 973.045 (2m) of the statutes, as affected by 2009 Wisconsin
18 Act (this act), is repealed and recreated to read:

19 973.045 (2m) (a) The secretary of administration shall credit to the
20 appropriation account under s. 20.455 (5) (gc) the first \$20 of part B of the crime
21 victim and witness surcharge.

22 (b) The secretary of administration shall credit to the appropriation account
23 under s. 20.455 (5) (g) part A of the crime victim and witness surcharge and any part

1 of part B of the crime victim and witness surcharge that remains after the secretary
2 of administration complies with par. (a).”.

3 **4.** Page 1893, line 2: after that line insert:

4 “(1j) CRIME VICTIM AND WITNESS SURCHARGE. The treatment of section 20.455 (5)
5 (g) (by SECTION 537c) and (gc) (by SECTION 538c) of the statutes and the repeal and
6 recreation of section 973.045 (2m) of the statutes take effect on July 1, 2011.”.

7 (END)